

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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LEISURE DIRECT, INC.,

Plaintiff,

- against -

GLENDALÉ CAPITAL, LLC, GEORGE LASAKO,  
JOE LONGO, AND DAVID PARSONS,

Defendants.

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MATSUMOTO, UNITED STATES DISTRICT JUDGE:

The matter is before the court for review of the Report and Recommendation of United States Magistrate Judge James Orenstein, dated April 14, 2009 (Doc. No. 68), recommending that the court (i) strike the answer of defendants Glendale Capital, LLC and George Longo, (ii) enter a default against the Glendale Capital and Longo, and (iii) dismiss with prejudice plaintiff's claims against defendant George Lasako. The Report and Recommendation is made in accordance with 28 U.S.C. § 636 and Local Civil Rule 72.1, and called for any objections to be filed by May 5, 2009.

In reviewing a Report and Recommendation, the district court "may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C). Where, as here, no objection to the

NOT FOR PUBLICATION

ORDER ADOPTING REPORT  
AND RECOMMENDATION

05-CV-4473 (KAM) (JO)

Report and Recommendation has been filed, the district court "need only satisfy itself that that there is no clear error on the face of the record." *Urena v. New York*, 160 F. Supp. 2d 606, 609-10 (S.D.N.Y. 2001) (quotation omitted).

Upon a careful review of the history of this action and Magistrate Judge Orenstein's thorough Report and Recommendation, the court finds no clear error in the Report and Recommendation and adopts it as the opinion of the court. The court strikes the answer of Glendale Capital and George Longo, and directs the Clerk of the Court to enter default against them. The court further orders that plaintiff's claims against defendant Lasako are dismissed with prejudice.

This matter is respectfully referred to Magistrate Judge Orenstein, pursuant to 28 U.S.C. § 636, for an inquest on the issue of damages. Counsel for plaintiff is directed to serve a copy of this Order on all defendants by certified mail, and to file proof of service, via ECF, on or before May 15, 2009.

SO ORDERED.

Dated: Brooklyn, New York  
May 11, 2009

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KIYO A. MATSUMOTO  
United States District Judge  
Eastern District of New York